

REMARKS:

Status Of Claims

Claims 1-20 are currently pending in the application with claims 1, 17, and 20 being independent.

Office Action

In the office action, the Examiner rejected claims 1-20 under 35 U.S.C. 103(a) as being unpatentable over Jensen U.S. Patent No. 6,065,000 in view of Official notice taken by the Examiner. Applicant respectfully traverses this rejection and requests proof of the official notice. As stated in MPEP § 2144.03, “[i]f applicant traverses such an assertion the examiner should cite a reference in support of his or her position”. The Examiner cannot merely restate the rejection in a further office action as was done in the present application.

Regarding claims 1 and 8, the Examiner acknowledges that Jensen does not disclose the authority being selected by the witness. Further, the Examiner has taken official notice that doing so is well known in the art. Applicant respectfully traversed this official notice and requested proof of the official notice in response to the previous office action. Applicant again respectfully traverses this official notice and again requests proof of the official notice.

Claim 1 recites “selecting an authority to whom the incident report should be sent, wherein the authority is selected based at least in part on information provided by the witness”. Claim 8 recites “wherein the authority is selected by the witness”. Selecting the authority is clearly done based upon information provided in the incident report. Therefore, this decision must be made after information has been provided in the incident report. As stated in response to the previous office action, the present invention allows a witness to file an incident report first. Then, based on the information

supplied in the report, select an appropriate authority. The witness is in a better position to select the appropriate authority with the report prepared and all known facts laid out.

In contrast, as stated in response to the previous office action, current methods involve a witness selecting an authority before filing an incident report. Specifically, Jensen teaches, as stated in column 13, lines 15-40, of "a computer implemented process of reporting safety information" that includes "a report generator" to fill out forms, such as OSHA (Occupational Safety and Health Administration) "and DMV (Department of Motor Vehicles) accident reports". Therefore, a witness must first decide for which authority the incident report should be prepared. Then, the witness must select an appropriate form. Finally, the witness provides safety information to the report generator.

Regarding claim 2, the Examiner acknowledges that Jensen does not disclose the incident being selected from the group consisting of - a criminal act, a legal violation, a sale of a defective product, and a rendering of unsatisfactory service. Further, the Examiner has taken official notice that doing so is well known in the art. Applicant respectfully traverses this official notice and requests proof of the official notice.

Jensen teaches, as stated in column 13, lines 15-40, of "a computer implemented process of reporting safety information" that includes "a report generator" to fill out forms, such as OSHA (Occupational Safety and Health Administration) "and DMV (Department of Motor Vehicles) accident reports". Additionally, "[t]he completed report is then produced through a computer output medium at 100, such as a printer". Jensen clearly teaches of an accident reporting system, which is clearly not claimed in claim 2 of the present invention.

Regarding claim 6, the Examiner acknowledges that Jensen does not teach of receiving additional identification information from the authority. However, the Examiner states that “the user accesses the system database” and “can create or modify the system database”. The Examiner also states that “it is obvious in Jensen’s to receive additional identification information from the authority based upon the identification information entered by the witness”. Applicant respectfully disagrees with the Examiner.

In contrast, Jensen teaches, in column 1 lines 15-23, “the invention includes a method of prompting a user for information about the workplace such as employee identification, accident and injury classification, and educational and precautionary actions to be taken. The invention also includes a method of prompting a user for information necessary to complete accident reports of the type required by federal, state and local agencies, and reports useful for making managerial decisions about the workplace”. Additionally, Jensen teaches, in column 12, lines 51-64 “[s]pecifically, a system database creator/modifier 76 operates on system database 52a to create or modify system database ... allows a user to select specific records for viewing and editing through the selected form, and input new records using the selected form”. Therefore, Jensen only teaches of the system database modifier or the user providing any type of information. Jensen clearly does not teach of the “federal, state and local agencies” providing any information. Furthermore, it is not obvious that these agencies do so, since, in current practice, these agencies certainly do not provide identification information.

Regarding claim 7, the Examiner acknowledges that Jensen does not disclose the authority being automatically selected by the computer system. Further, the Examiner has taken official notice that doing so is well known in the art. Applicant

respectfully traversed this official notice and requested proof of the official notice in response to the previous office action. Applicant again respectfully traverses this official notice and again requests proof of the official notice. As stated in response to the previous office action, the present invention allows a witness to file an incident report first. Then, based on the information supplied in the report, an appropriate authority is selected by the computer system, where the witness may or may not be allowed to approve such a selection.

In contrast, as stated in response to the previous office action, current methods involve a witness selecting an authority before filing an incident report. Specifically, as discussed above, Jensen teaches of the witness making all decisions in this regard before providing information in the incident report. Therefore, this decision cannot possibly be made based upon the incident report, since the incident report does not exist at the time the decision is being made. Furthermore, Jensen does not teach of the computer system making any decisions, as Jensen's computer system is not capable of decision making.

Regarding claims 9-10, the Examiner mistakenly states that Jensen discloses receiving into the computer system an action report from the authority explaining the action the authority took in response to the incident report. While Jensen's Figure 10 does show a field entitled "corrective action taken", this is clearly meant to cover action taken by one of the witnesses in response to an incident and not action taken by the authority in response to the incident report. As stated above, Jensen teaches of filling out forms that may be submitted to an agency, such as, OSHA and tracking statistics, as stated in column 2, lines 1-10. In fact, Jensen does not teach of actually receiving an action report explaining the authority's actions from either OSHA, DMV, or any other authority.

Claims 2-16 depend directly or indirectly from independent claim 1, which is in a condition to be allowed, and are therefore also allowable. As stated by the Examiner, “[c]laims 17-20 contain the same limitations found in claims 1, 7, 9, and 12 discussed above”. Therefore, claims 17-20 are also allowable.

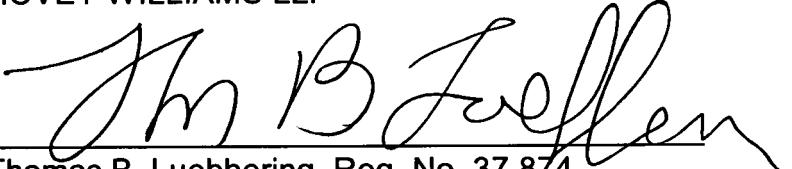
Any additional fee which is due in connection with this amendment should be applied against our Deposit Account No. 19-0522.

In view of the foregoing, a Notice of Allowance appears to be in order and such is courteously solicited.

Respectfully submitted,

HOVEY WILLIAMS LLP

By:



Thomas B. Luebbering, Reg. No. 37,874
2405 Grand Boulevard, Suite 400
Kansas City, Missouri 64108
(816) 474-9050

ATTORNEYS FOR APPLICANT

(Docket No. 27080)